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6/24/02  
Docket No.: 1614.1084

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Takashi SHIMADA et al.

Serial No. 09/679,068

Group Art Unit: 2163

Confirmation No. 9496

Filed: October 5, 2000

Examiner: David Robertson

For: BUSINESS SUPPORT SYSTEM

**COMMUNICATION IN RESPONSE TO EXAMINER'S**

**COMMUNICATION MAILED JUNE 6, 2002**

Assistant Commissioner for Patents  
Washington, D.C. 20231

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Sir:

Receipt of the Examiner's communication mailed June 6, 2002 is acknowledged.

The communication does not acknowledge the facsimile transmission of May 23, 2002 to the Examiner of a copy of the English language search report in the parent PCT application -- other than inferentially and by implication in the closing paragraph.

That closing paragraph, moreover, reports that the Examiner has requested an English translation of the two Japanese patents listed in the search report and that: "Examiner will review the IDS and foreign language patents and indicate so in the next office action."

Applicants respectfully submit that the outstanding Office Action herein of February 27, 2002 instead should be withdrawn, since clearly defective for not taking into consideration the IDS and its citations. The Examiner's resolution of addressing the IDS references in a next Office Action necessarily will result in piece-meal prosecution. But for the failure of the USPTO to properly enter the IDS in the file of the subject application, those IDS citations would have and should have been considered in the subject Office Action of February 27, 2002.




Accordingly, it is requested that the Examiner reconsider his decision to defer any assessment of the IDS citations until a next Office Action and, instead, withdraw the outstanding Office Action and reissue same including addressing the IDS citations therein.

Respectfully submitted,

STAAS & HALSEY LLP

Date: June 20, 2002

By: \_\_\_\_\_

  
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